

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed July 17, 2006 ("Office Action"). At the time of the Office Action, Claims 1-57 were pending and rejected. Applicants have amended Claims 1, 5, 7, 17, 19, 20, 24, 26, 36, 38, 39, 43, 45, 55, and 57. As described below, Applicants believe all claims to be allowable. Therefore, Applicants respectfully request reconsideration and full allowance of all pending claims.

Specification Objections

The Examiner objects to the Abstract due to the length and number of words exceeding 150. Applicants have replaced the Abstract at Page 36, lines 2-27 with a new Abstract in accordance with the requirements of M.P.E.P. § 608.01(b). Applicants respectfully request that the objection now be withdrawn.

Section 112 Rejections

The Examiner rejects Claims 1-57 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner objects to the preamble of Claims 1, 7, 17, 19, 38, and 57. Applicants have amended Claims 1, 7, 17, 19, 38, and 57 to recite "A computer implemented method of performing a join operation in a partitioned database system," as suggested by the Examiner.

Additionally, the Examiner rejects Claims 1, 7, 17, 19, 20, 26, 36, 38, 39, 45, 55, and 57 because the claims "[appear] to have no claimed result under the condition where one or more join conditions are not satisfied." (Office Action, pages 3-4). Applicants have amended each of the above-identified claims to replace the phrase "if one or more join conditions are satisfied" with the phrase "in response to determining that one or more join conditions are satisfied." Accordingly, Applicants respectfully submit that Claims 1, 7, 17, 19, 20, 26, 36, 38, 39, 45, 55, and 57 are not indefinite under 35 U.S.C. § 112, second paragraph for the reasons identified by the Examiner.

For at least these reasons, Applicants respectfully request reconsideration and allowance of Claims 1-57.

Section 101 Rejections

The Examiner rejects Claims 1-19, 38, and 57 under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Specifically, the Examiner states that “[s]tructural and functional interrelationship with a general-purpose computer for permitting claimed functions to be realized are not provided in [Claims 1, 7, 17, 19, 38 and 57].” (Office Action, page 5). In response to the Examiner’s rejection, Applicants have amended Claims 1, 7, 17, 19, 38, and 57 to recite “A computer implemented method of performing a join operation in a partitioned database system,” as suggested by the Examiner. Accordingly, Applicants respectfully submit that Claims 1, 7, 17, 19, 38, and 57 are directed to statutory subject matter under 35 U.S.C. § 101.

For at least these reasons, Applicants respectfully request reconsideration and allowance of Claims 1-19, 38, and 57.

Double Patenting Rejection

The Examiner rejects Claims 1-57 of the present Application under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-24 of U.S. Patent No. 6,944,633. Although Applicant does not necessarily agree with or acquiesce to the Examiner’s comments regarding the claims of the present Application or their purported relationship to the claims of U.S. Patent No. 6,978,144 B1, Applicant submits the attached Terminal Disclaimer in compliance with 37 C.F.R. §1.321(c) to overcome this rejection. Accordingly, Applicants respectfully request reconsideration and allowance of Claims 1-57.

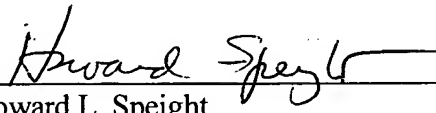
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CONCLUSION

Applicants contend that the claims are in condition for allowance, which action is requested. Applicants do not believe any fees are necessary with the submitting of this response. Should any fees be required, Applicants request that the fees be debited from NCR Deposit Account Number 14-0225, Order Number 11196.

Respectfully submitted,



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